

Patent Application Number: 10/619,246

**REMARKS**

Claims 1-8, 11-16, and 19-24 are pending in the present application. Claims 9, 10, 17, and 18, have been cancelled without prejudice or disclaimer to the subject matter contained therein. Claims 19-24 have been added in this Response.

**I. Rejection of Claims 1-5, 8-14, 17, and 18 under 35 U.S.C. §102(b)**

Claims 1-5, 8-14, 17, and 18 have been rejected under 35 U.S.C. §102(b) as being anticipated by Rosenblum (US-A-2,483,937). This rejection is respectfully traversed.

In formulating the rejection, the Examiner alleges that Rosenblum teaches a retort system for recycling oil by using heat from a vehicle's exhaust system. From this allegation, the Examiner concludes that Rosenblum anticipates the presently claimed invention. This position, in view of the above amendments, is respectfully traversed.

The presently claimed invention, as set forth by amended independent claim 1, is directed to a vehicle mounted oil recovery system. The vehicle mounted oil recovery system includes a conduit to transport oil extracted from an engine lubricating system of the vehicle and a retort system, mounted upon the vehicle and operatively connected to said conduit to receive the extracted oil, to pyrolyze and distill the extracted oil into vaporized components. The retort system includes a sloping tube, the sloping tube having a first end and a second end such that the extracted oil drains progressively down from the first end to the second end. The sloping tube has a surface temperature gradient, a surface temperature associated with the first end being lower than a surface temperature associated with the second end.

Furthermore, the presently claimed invention, as set forth by amended independent claim 11, is directed to a method for recovering used oil using an exhaust system of a vehicle. The method extracts a portion of oil from an engine lubricating system to a retort system; extracts combustion heat from the exhaust system of the vehicle to the retort system; vaporizes, in the retort system, using the extracted combustion heat, fuel and water from the extracted oil to produce an oil of high molecular weight non-volatile hydrocarbons; and pyrolyzes, in the retort system, using the extracted combustion heat, the oil of high molecular weight non-volatile hydrocarbons into lower molecular weight vapors.

**Patent Application Number: 10/619,246**

In contrast, Rosenblum teaches that the extracted oil is placed into a vaporizing vessel to vaporize the fuel and water from the oil. Rosenblum further teaches that vaporizing vessel is a uniform temperature. The vaporized components, as taught by Rosenblum, are condensed by a dome or a curled tube to distill the components for either recycling or combustion.

Notwithstanding these various teachings directed to distilling the extracted oil, Rosenblum fails to teach or anticipate, with respect to amended independent claim 1, a sloping tube having a first end and a second end such that the extracted oil drains progressively down from the first end to the second end. Moreover, Rosenblum fails to teach or anticipate, with respect to amended independent claim 1, a sloping tube having a surface temperature gradient, a surface temperature associated with the first end being lower than a surface temperature associated with the second end. Lastly, Rosenblum fails to teach or anticipate, with respect to amended independent claim 1, pyrolyzing and distilling the extracted oil into vaporized components because Rosenblum merely teaches vaporization, not decomposition.

Furthermore, Rosenblum fails to teach or anticipate, with respect to amended independent claim 11, vaporizing, using extracted combustion heat, fuel and water from the extracted oil to produce an oil of high molecular weight non-volatile hydrocarbons and pyrolyzing, using extracted combustion heat, oil of high molecular weight non-volatile hydrocarbons into lower molecular weight vapors because Rosenblum merely teaches vaporization, not decomposition. Pyrolyzing requires decomposition.

In summary, Rosenblum fails to teach or anticipate:

- (1) a sloping tube having a first end and a second end such that the extracted oil drains progressively down from the first end to the second end;
- (2) a sloping tube having a surface temperature gradient, a surface temperature associated with the first end being lower than a surface temperature associated with the second end;
- (3) pyrolyzing and distilling the extracted oil into vaporized components; and/or
- (4) vaporizing and pyrolyzing, using extracted combustion heat, to convert high molecular weight non-volatile hydrocarbons into lower molecular weight vapors.

With respect to dependent claims 2-5, 8, 12-14, and 19-24, the Applicant, for the sake of brevity, will not address the reasons supporting patentability for these individual dependent claims, as these claims depend directly from the allowable independent claims 1 and 11 for the

**Patent Application Number: 10/619,246**

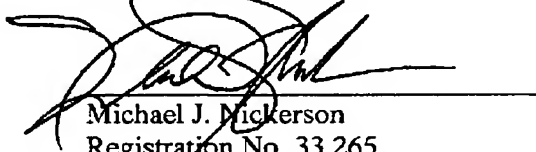
reasons set forth above. The Applicant reserves the right to address the patentability of these dependent claims at a later time, should it be necessary.

Accordingly, in view of the amendments and reasons set forth above, the Examiner is respectfully requested to reconsider and withdraw the present rejection under 35 U.S.C. §102(b).

**CONCLUSION**

Accordingly, in view of all the amendments and reasons set forth above, the Examiner is respectfully requested to reconsider and withdraw all the present rejections. Also, an early indication of allowability is earnestly solicited.

Respectfully submitted,



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